

QUERIES

OF 20

SOME TENDER

Conscienced CHRISTIANS.

About the late *Protestation*, commended to them by the House of Commons, now Assembled in the High and Honourable Court of *Parliament*,

Wherein they desire to be resolved,

- Concerning
1. The Authority imposing it.
 2. The necessity of it.
 3. The danger of it.
 4. Whether it can be taken in Faith.

As also

Certaine Queries concerning the Ambiguity thereof, appearing in most, if not in all the severall Branches thereof.

Together with a Form of such an interpretation of it, as may safely be taken, and doth not goe against the literall Sence.

Written by a Learned Divine.

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The *Queries* of certaine tender-Conscienced Christians, concerning the late *Protestation*, commended to them by the House of Commons, now Assembled in the High and Honourable Court of Parliament. wherein they humbly crave a cleere satisfaction from their abler brethren, that they may take it with a well grounded and cheerefull Conscience.

First, as concerning the Authority of it, whether it comes sufficiently authorised to be imposed upon any, unlesse by the joynt consent of his sacred Majesty, and both Houses of that High and Honourable Court both Head and Members; We do not hereby intend to charge any with the guilt of combination against Authority, but in the tendernesse of our consciences, humbly to signifie our just scruples about the authority imposing it, and the contents of it; if it be said, it is not to be imposed on any, then we hope none can justly blame us; for using our lawful liberty, and refusall of that, which is not imposed on us.

- Secondly, concerning the Necessity of it; what need is there of urging or taking a Protestation at this time; since Oathes, sacred Bonds, are not to be taken without urgent necessity, unlesse wee wil take the Name of God in Vaine: and though the prudence of the contrivers may see a necessity to comend it, yet

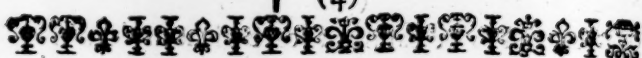
it is no wonder if such silly ones as we, see not the necessity of taking it, untill they shall be pleased to impart their reasons. The conscientious will hold themselves bound to maintaine the Doctrine established, power of Parliaments, and liberty of Subjects without it, all others will sleight it: we thinke in all humility love a stronger bond then compulsion, and other meanes more effectuell for holding out of Popery, namely diligent Preaching, Prayer, Humiliation, and Reformation, whereby we may encrease in the knowledge of the Truth, and the ability to defend us against the enemies of it. But for Ministers it seemes lesse needfull, who have already subscribed and sworne, and subscribed to the Doctrine of the Church of England against Popery, against whom sufficient Provisoers are made in case they revolt.

3. Thirdly what danger by multiplying Oathes? where diverse for fear may be forced to take them, *Reluctante conscientia*. Most do make too little conscience of them, and may endanger the land by drawing on it a Judgement for their slighting such a sacred bond, or violation of it, *For Oathes the Land mournes*, *Ier. 25. 10.* Whereupon Saint Austin in his second Sermon, *De verbis Apostoli, Falsa iuratio exitiosa, vera iuratio periculosa, nulla iuratio secunda est*, Above all things my Brethren, sweare not, *Isaiah 5. 12.*

4. Fourthly, whether can this Oath be taken in Faith without which, what soever we doe is sin, *Rom. 14. 23.* Now this Oath comprehends so many things of severall kinds, and diverse of them unknowne to most of us, that though we be ready to believe & receive some of them single, yet our Faith cannot fathom them altogether,

together, and so we cannot sweare without doubting, and surely doubtfull swearing is as dangerous as doubtfull eating, every Oath should bee taken in Truth, Righteousnesse and Judgement. Ier. 4. 2. How can we take an Oath in Judgement, not having a full persuasion in the meaning of it, or how can others with good Conscience presse it on us, till they give us full satisfaction herein?

If it be answered that the Creed, &c. are ambiguous, subject to doubtfull Interpretations, as appeares in divers Articles, yet upon this reason, may not bee refused to be sworne: to this, the learned Divines of *Aberdine* have given sufficient answer. pag. 50. of their Duplicie, these are of Divine Authority, or next Divine, agreeable to the Word, approved by the uniforme consent of all places in all ages. Whereupon wee are undoubtedly perswaded that the contrivers of them did neither intend, nor yet set downe any untruth, and therefore we doe submit to the unfallible authority of them, though some things be controverted in them, whereas we cannot suppose the same in any Oath contrived by men, subject to errors, wanting that generall approbation.



The Ambiguity of the OATH appears to us
in most, if not in all the severall Branches
of it.

1. *I Promise, Vow, and Protest, so maintaine with my life, Goods, and Power, the true Protestant Religion, expressed in the Doctrine of the Church of England. Quere, What is the Doctrine of the Church of England? Whether that in the 39 Articles? Why is it not specified that we may know to what we sweare? Whether may it not be extended to that which hereafter shal be established; since in the Oath it is not (now expressed, or already established) but, Expressed, in the Doctrine of the Church of England; which we suppose will bind us, if expressed hereafter; if so, None will set his seale to a blanke bond, so as the Obligee may make his dept as large as he listeth: and we conceive we should bee more cautelous in engaging our selves by Oath, then our Estate by Bond, since the tye is more vigorous, and the breach more dangerous. Ley. pag. 55.*

2 *I sweare to maintaine this Doctrine against all Popery and popish Innovations. Quere, in what extent is Popery here abjur'd? Whether onely in Doctrinalls, and such onely as are fundamentall or come nigh the foundation? or to remoter superstructions undetermined? Wherein it hath alwayes bin held lawfull for Scholars to vary, and abundare sensu suo. Whether to Discipline also? and hath not episcopacy bin branded for a Popish Hierarchie, and the Ministers ordained by*

by them and standing under them. Notwithstanding it hath beene allowed by our Doctrine, and established by our law? Hath not our Liturgy (though established by Act of Parliament) beene rejected as Popish? and all innocent Ceremonies (though anciently farre then Popery) if abused by them? Nay one of late, against Popish Ceremonies tells us, that an oath must be extended to the largest sense; *Disput. against Engl. Ceremonies*, p. 93. 97.

3. *I swear to maintain the power and priviledge of Parliaments, & the lawfull liberty and rights of Subjects.* *Quar.* What are those priviledges of Parliaments and rights of Subjects? Are these evident by the light of nature? that upon notifying them, every one that swears is able to give his assent, acknowledging them undoubted priviledges and rights? or doe they vary in diverse Countries, according to the different constitutions of Statutes and charters depending on positive lawes? Why are we not directed to those lawes? where we may be clearly informed, what are those undoubted priviledges and rights?

4. *I will maintaine every person that maketh this Protestation, in what he shall doe in the lawfull pursuance of the same.*

Quar. Whether am I hereby bound to imbroyle my selfe in every private quarrell betwixt particular persons? Suppose one that hath taken this Protestation be oppressed by some great one and pursue his right. Whether am I hereby bound to engage my selfe? If it be with reference to the publicke State. Whether am I alone bound to maintaine him in his rights, or only joyntly with others? And how shall I be assured that it is his right, and that his pursuance is lawfull, that I may joyne with him? B. I

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5. *I will oppose and bring to condign punishment, all such as shall doe any thing to the contrary. Quer.* Whether is his sacred Majesty and his lawfull Successors here excepted, in case they should attempt some innovation in Religion, or to infringe the liberty of Parliaments, or the rights of Subjects, or to oppose any that hath taken this Protestation? Now to take up armes against our Sovereigne, either offensive or defensive, we have not as yet learned. We neither in the Scriptures, nor the writings, nor practice of primitive times find any other remedy for Subjects unjustly prosecuted by Hereditary Monarches, but flight from their wrath, or patient suffering, or humble supplication with teares and prayers. Nor dare we subscribe till we see those arguments answered in the learned Duplice of the Divines of Aberdine, pag. 160. If his Majesty be excepted, why is it not expressed? Nor can the expression of such an exception be thought needlesse, though elsewhere we sweare to maintaine the King.

Nor can it seeme a greater tenderneffe of his Majesties Honour, to omit the exception in this clause, supposing his Majesties constancy in Religion, and equitable disposition in the administration of Justice. Surely the modest request of such an exception can not in the judgment of any reasonable man, import the slenderest suspicion of his Majesties inconstancy in Religion, or disposition to injustice. None are more fully settled in their good opinion of him then we. But wee provide for our owne peace, in case of dispute about the boundaries of Religion, priviledge of Parliaments, and rights of Subjects. Nor do we cast the least aspersi-
vers

vers of this Protestation, which we doubt not but their wisdomes can easily cleare, and we much crave may be cleared to us.

6. In case of dispute, what is the Religion established? power and priviledge of Parliaments? rights of Subjects? and the lawfull meanes of the pursuance of the same? or concerning the boundaries of those? who shall be Judge? The dictate of every private mans conscience? That were to expose the Kingdome to perpetuall contention; the Parliament? what if a dispute arise when no Parliament sits? The King and Counsell? or some deputed by his Majesty and the Parliament? or the stronger part?

7. *I sweare never to relinquish this Protestation*, &c. *Quere*, doth this clause bind me for ever in no case to alter? What if the King and State should find it expedient hereafter to revoke this Protestation, or something in it? Why is not there a reservation of liberty to change with the State? Master *Ley* in his Booke of the late Canons, pag. 86. thinks it unfit to make *Median & Persian* Protestations, that cannot be altered, when as such changes may fall in a State, as the wisest law may be thought necessary to be altered, and therefore to receive no further establishment, then they agree withall humane lawes to be left alterable.

Nor let us be thought herein to wrong our selves, in forging exceptions and laying impediments in our own way. We walk in sincerity according to our sight, not forging to our selves impediments or laying stumbling blockes in our owne way, but shewing such as seeme to be layd in our way, by the incommodious expression of the Protestation. If any

thinke our doubts are too many, perchance he thinks too little of the peace of conscience of private Christians, and price of Ministry.

If any inforcement should be used, our suspence, till satisfaction be given, may be charitably ascribed rather to conscience then contumacy. And therefore the case so standing, we hope we shall neither be pressed to the taking, nor our modest refusall oppressed with any penalty.

What pitty were it? which some mens feares begin to suggest, that after our painefull studies in the Universities, the expence of our patrimonies in our costly education (which might have maintained us plentifully in another course.) After our painefull employments in our Pastorall charge, to the tiring out of our strength. After our families encreased above our abilities to support them (without the meanes we receive from the Church) to be thrust out of all, who cannot dig, and are asham'd to beg. After our hopes of removall of all burdens, now to be oppressed. With the same tongue that hath blest God for the heroicke zeale of that High and Honourable Court in removall of one Oath, now to complaine of the pressure of our consciences by another? that when such care is taken for the establishment of the rights of Subjects (should this Oath come hereafter to be pressed) it might strip us of al which we conceive derogatory to our rights, who are not the worst Subjects. That those, who have complained of subscriptions & oaths these eighty yeares (though of such things onely as were established by Parliament) should now be so forward to promote this, and presse it upon others.

When

When divers things established by law were in-
 construed, the Church and State thought it expedient to
 interpret them, as appeares, by divers Canons, Ru-
 bricks, and Injunctions, and the preface to the Com-
 mon Prayers. When the Oath of Supremacy was in-
 construed, King *James* of blessed Memory, vouchsafed
 to cleare it by publicke writings, and after to cleare
 this explication from all objections of *Fall* and o-
 thers, by Bishop *Andrewes* and others. When the Re-
 verend Primate of *Armagh* had cleared the same Oath
 in *Ireland*, the King gave him thanks for his paines ta-
 ken therein, by a Letter now Printed. And this pre-
 sent Parliament to remove the feare of some Londo-
 ners (as we heare) vouchsafed to set forth an interpre-
 tation of one clause of this Protestation.

Whether would it not highly commend their pru-
 dence, and eternize their goodnesse, to vouchsafe a
 further interpretation of all the severall branches of
 it, or authorize by speciall Commission, some grave,
 wise men, in every Diocese, to admit of such inter-
 pretations as did not goe against the literall sense, and
 cleare it from all ambiguity.

*whether this interpretation, or such like might
 be accepted.*

1. I Swear to maintaine the Doctrine expressed in
 the Church of *England*, &c. I understand the
 Doctrine already established in the 39. Articles.

2. This Doctrine I will maintaine against all Po-
 pery, and Popish innovations &c. I understand all

very Doctrinall, and innovations practically, contrary to the Doctrine already established.

3. I Swear to maintaine the power and privilege of Parliaments, the lawfull liberty and rights of Subjects, &c. I understand this so far as they shall be evidenced to me, by the standing lawes of this Kingdome, not repugnant to the lawes of God, to be undoubted privileges and rights, and further the maintenance of these rights of Subjects, I understand not with reference to one another, to be hereby bound to imbroyl my self in every private mans quarrell, though I conceive right, but with reference to the publike State.

4. I will maintaine every person that maketh this Protestation, in whatsoever he shall doe in the lawfull pursuance of the same, &c. This maintenance I understand not to bind me to maintaine the same by my self alone, but together with others consenting and lawfully authorized, the same I understand of opposing in the next clause.

5. I will oppose and bring to condigne punishment, &c. In all the severall clauses, I expressly except his sacred Majesty, and his lawfull successors, according to my Oath of Allegiance, not daring to thinke a disloyall thought, much lesse to lift up my hand against the Lords Annoynted.

6. I will never relinquish this Protestation, &c. Unless the State shall thinke it expedient to alter or revoke it; in which case I reserve my freedom.

FINIS.

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